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First Named Inventor

Kenneth Thompson et al.

Art Unit

3722

Examiner Name

Fridie Jr., Willmon

Attorney Docket Number

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ENCLOSURES (Check all that apply)

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Fee Transmittal Form

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Fee Attached

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Amendment/Reply

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After Final

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Date

May 1, 2006

Reg. No.

30,762

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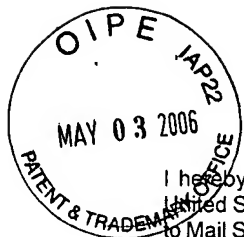
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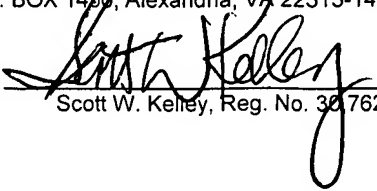
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

KENNETH THOMPSON ET AL.

Serial No. 10/634,328

Filed: August 4, 2003

FOR: MULTI-PURPOSE CARD

Group Art Unit: 3722

Examiner: Fridie Jr., Willmon

OUR DOCKET NO. MCC-44532

REPLY BRIEF

Mail Stop Appeal Brief-Patents
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Sirs:

Applicant hereby submits its Reply Brief, responding to the Examiner's Answer
mailed March 13, 2006.

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Status of Claims

The Status of Claims has not changed since the filing on November 3, 2005 of Applicant's Appeal Brief. Thus,

Claims 1-26 have been canceled;

Claims 27-32, 34-39 and 41-48 are rejected, and presented on appeal; and

Claims 33, 40 and 49 are objected to.

II. Grounds of Rejection to be Reviewed on Appeal

A. Whether claims 27, 28, 30-32, 41, 42, 44-46 and 48 are unpatentable under 35 U.S.C. § 102(e) as being anticipated by Hebbecker (U.S. Patent No. 6,693, 544);

B. Whether claims 29, 34-37 and 43 are unpatentable under 35 U.S.C. §103(a) as being unpatentable over Hebbecker;

C. Whether claims 38 and 47 are unpatentable under 35 U.S.C. §103(a) as being unpatentable over Hebbecker in view of Carides et al. (U.S. Patent No. 6, 106,932).

III. Argument

Applicant submits this Reply Brief, responding to various points made in the Examiner's Answer. However, Applicant incorporates by reference all of the arguments made in its November 3, 2005 Appeal Brief.

In Applicant's independent claims 27, 34 and 41, a multi-purpose card is recited including "first and second redemption or charging means in the form of first and second integrated circuit chips, each integrated circuit chip containing information related to a different entity". In the independent claims, the first and second integrated circuit chips are recited as being either mis-aligned, aligned on the same surface, or disposed on opposite surfaces of the base layer to allow selective charging or redeeming for that entity. Moreover, the independent claims recite that "the multi-purpose card may be used for different transactions or purposes by selectively passing the first or second integrated circuit chip through a reader thus redeeming or charging for the selected entity."

On page 4 of the Examiner's Answer, the Examiner states that "Hebbecker discloses in its abstract that one chip can contain data that relates to personal identification numbers and the other to training or special skills of the wearer". However, this is inaccurate. Hebbecker actually discloses an identification dog tag or card equipped with a rupture joint and having two sections having a mirror-inverted design, in which, the same data may be stored in the same manner. On page 4 of the Examiner's Answer, the Examiner quotes a portion of the Abstract of Hebbecker which states "The memory or microprocessor structure permits a very flexible directory structure. Thus, in the main memory directory, for example, one can store global card

data, such as personal identification numbers (PKZ), nation, name (NN), and blood type (A Rh+). Moreover, in the data fields of the main directory, one can store access authorizations, and, in the subdirectories, for example, the training or special skills of a person wearing this tag.” However, the Examiner fails to state that the main memory directory and data fields of the main memory directory are for a single chip. Thus, the single chip may include different data fields, including personal identification numbers, nation, name, and blood type or special training or skills of the person wearing the tag. In column 4, Hebbecke makes it very clear that the integrated or embedded memory or microprocessor chips are identical and contain the same stored data and exhibit the same structure (column 4, lines 10-14 and lines 24-26).

On page 4, third paragraph of the Examiner’s Answer, the Examiner states that “this data can be used, as is customary in the military, to *redeem supplies*, training information, etc. (emphasis added). Hebbecke does disclose that identical information is contained within each chip or microprocessor which is related to the individual wearing the identification dog tag, including the individual’s name, identification number, nation, blood type, and special training or skills. However, there is no discussion, whatsoever, or even any inference, that the electronic identification tag could be used to “redeem supplies”.

Notwithstanding the extent of information stored in each identical chip of Hebbecke, the fact of the matter is that Hebbecke does not disclose first and second redemption or charging means in the form of first and second integrated circuit chips, each integrated circuit chip containing information relating to a different entity. Of course, this is crucial to the present invention as the integrated circuit chips of the

present invention are used to conduct transactions in a selective manner so as to charge or redeem against that particular entity. Applicant respectfully submits that the recitation "first and second redemption or charging means of a form of first and second integrated circuit chips, each integrated circuit chip containing information relating to a different entity" is not a recitation directed to the intended purpose or manner of the apparatus. Thus, this recitation does differentiate the claimed apparatus from the prior art Hebbecke apparatus.

Hebbecker fails to identically show every element of the claimed invention, and Applicant respectfully submits that one of ordinary skill in the art would view significant differences between the claimed invention and the Hebbecke dog tag apparatus. Thus, Applicant respectfully submits that Hebbecke does not anticipate independent claims 27 nor 41, nor those claims depending therefrom. Independent claim 34 recites that the first and second integrated circuit chips are disposed on opposite surfaces of the base layer to allow selective charging or redeeming for that entity. The positioning of the first and second integrated circuit chips in the present invention is not random, but rather is such that each integrated circuit chip can be selectively passed through a reader, while the other is not. Hebbecke does not disclose integrated circuit chips aligned on one end of the card, or on opposite surfaces of the base layer, and in addition does not provide first and second integrated circuit chips containing different information relating to different entities, and thus independent claim 34 and the claims depending therefrom are not rendered obvious by Hebbecke.

From the foregoing Arguments, as well as the Arguments presented in Applicant's Appeal Brief, Applicant respectfully submits that the claims presented on

appeal which have been rejected (claims 27-32, 34-39, and 41-48) are not anticipated nor rendered obvious by the references or the assertions made by the Examiner, and should be allowed.

Respectfully submitted,

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